

PREVAILED

Roll Call No. _____

FAILED

Ayes _____

WITHDRAWN

Noes _____

RULED OUT OF ORDER

HOUSE MOTION _____

MR. SPEAKER:

I move that House Bill 1317 be amended to read as follows:

- 1 Page 10, between lines 21 and 22, begin a new paragraph and
- 2 insert:
- 3 "SECTION 8. IC 20-8.1-14 IS ADDED TO THE INDIANA
- 4 CODE AS A **NEW** CHAPTER TO READ AS FOLLOWS
- 5 [EFFECTIVE JULY 1, 2000]:
- 6 **Chapter 14. Release of School Records to Courts With**
- 7 **Juvenile or Criminal Jurisdiction**
- 8 **Sec. 1. Upon written request, a school shall provide a child's**
- 9 **school records to a court having juvenile or criminal jurisdiction**
- 10 **over a case involving the child who attends the school if the child:**
- 11 **(1) is alleged to be or has been adjudicated a juvenile**
- 12 **delinquent; or**
- 13 **(2) is charged with or convicted of an offense;**
- 14 **in the court that submits the request.**
- 15 **Sec. 2. A court may request the disclosure of school records**
- 16 **under section 1 of this chapter only in connection with:**
- 17 **(1) a legitimate investigation;**
- 18 **(2) a prosecution;**
- 19 **(3) a juvenile delinquency adjudication;**
- 20 **(4) a treatment program; or**
- 21 **(5) an educational program.**
- 22 **Sec. 3. Except as provided in this chapter, the disclosure of a**
- 23 **child's school records is subject to confidentiality restrictions**
- 24 **imposed by state and federal law.**
- 25 **SECTION 9. IC 20-12-76 IS ADDED TO THE INDIANA CODE**
- 26 **AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE**
- 27 **JULY 1, 2000]:**

1 **Chapter 76. Release of School Records to Courts With**
2 **Juvenile or Criminal Jurisdiction**

3 **Sec. 1. Upon written request, an institution of higher learning**
4 **or a vocational school shall provide a child's school records to a**
5 **court having juvenile or criminal jurisdiction over a case involving**
6 **the child who attends the school if the child:**

7 (1) **is alleged to be or has been adjudicated a juvenile**
8 **delinquent; or**

9 (2) **is charged with or convicted of an offense;**
10 **in the court that submits the request.**

11 **Sec. 2. A court may request the disclosure of school records**
12 **under section 1 of this chapter only in connection with:**

13 (1) **a legitimate investigation;**

14 (2) **a prosecution;**

15 (3) **a juvenile delinquency adjudication;**

16 (4) **a treatment program; or**

17 (5) **an educational program.**

18 **Sec. 3. Except as provided in this chapter, the disclosure of a**
19 **child's school records is subject to confidentiality restrictions**
20 **imposed by state and federal law.**

21 Page 13, after line 3 , begin a new paragraph and insert:

22 SECTION 11. IC 31-37-19-28 IS ADDED TO THE INDIANA
23 CODE AS A NEW SECTION TO READ AS FOLLOWS
24 [EFFECTIVE JULY 1, 2000]: **Sec. 28. (a) Whenever a court**
25 **adjudicates a child to be a delinquent child, the court shall notify**
26 **the principal of any public or nonpublic elementary or secondary**
27 **school that the child attends of the adjudication and disposition of**
28 **the case.**

29 (b) **Upon written request of an authorized representative of the**
30 **school, the court, if the court considers it appropriate, may**
31 **authorize the attorney for the county office of family and children**
32 **to give the principal of the school a statement of the facts in the**
33 **case.**

34 (c) **A principal who receives information under subsection (a)**
35 **or (b):**

36 (1) **shall release the information to any employees of the**
37 **school having responsibility for classroom instruction with**
38 **the child; and**

39 (2) **may release the information to any school administrative,**
40 **transportation, or counseling personnel and any teacher or**
41 **school employee with whom the student may come in**
42 **contact.**

43 **However, the information must otherwise remain confidential and**
44 **may not become part of the child's school records."**

45 "SECTION 12. IC 35-50-3.5 IS ADDED TO THE INDIANA
46 CODE AS A NEW CHAPTER TO READ AS FOLLOWS
47 [EFFECTIVE JULY 1, 2000]:

48 **Chapter 3.5. Release of Certain Criminal Records of a Child**
49 **to a School the Child Attends**

50 **Sec. 1. Whenever a court convicts a child of an offense, the**
51 **court shall notify the principal of any public or nonpublic school**
52 **that the child attends of the child's conviction and sentence for the**

1 offense.

2 **Sec. 2. Upon written request of an authorized representative**
3 **of the school, the court, if the court considers it appropriate, may**
4 **authorize the prosecuting attorney to give the principal of the**
5 **school a statement of the facts of the case.**

6 **Sec. 3. A principal who receives information under section 1**
7 **or 2 of this chapter:**

8 (1) shall release the information to employees of the school
9 having responsibility for classroom instruction with the
10 child; and

11 (2) shall release the information to employees of the school
12 having responsibility for school safety.

13 **Sec. 4. Information released under this chapter may not**
14 **become part of the child's school records."**

15 Renumber all SECTIONS consecutively.

(Reference is to HB 1074 as printed January 28, 2000.)

Representative BOSMA